

JS 44 (Rev. 08/18)

# CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<b>I. (a) PLAINTIFFS</b> Jane Doe 1, Jane Doe 2, Jane Doe 3, Jane Doe 4, John Doe 1 and John Doe 2,  <b>(b) County of Residence of First Listed Plaintiff</b> <u>Maryland</u> <small>(EXCEPT IN U.S. PLAINTIFF CASES)</small>  <b>(c) Attorneys (Firm Name, Address, and Telephone Number)</b> Craig K. Vernon (16737), James, Vernon & Weeks, P.A. 1626 Lincoln Way, Coeur d'Alene, ID 83814 (208) 667-0683		<b>DEFENDANTS</b> Doe 1 Male Defendant and Doe 2 Female Defendant, a community  County of Residence of First Listed Defendant <u>Davis County, Utah</u> <small>(IN U.S. PLAINTIFF CASES ONLY)</small>  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.  Attorneys (If Known) James S. Jardine, Ray Quinney & Nebeker 36 South State St., Ste. 1400, Salt Lake City, UT 84111 (801) 532-1500																					
<b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question <small>(U.S. Government Not a Party)</small> <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> Diversity <small>(Indicate Citizenship of Parties in Item III)</small>		<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant) <small>(For Diversity Cases Only)</small> <table style="width:100%; border-collapse: collapse;"> <tr> <th style="text-align: left; border-bottom: 1px solid black;">PTF</th> <th style="text-align: left; border-bottom: 1px solid black;">DEF</th> <th style="text-align: left; border-bottom: 1px solid black;">PTF</th> <th style="text-align: left; border-bottom: 1px solid black;">DEF</th> </tr> <tr> <td>Citizen of This State <input checked="" type="checkbox"/> 1</td> <td>Citizen of This State <input checked="" type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4</td> <td>Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State <input checked="" type="checkbox"/> 2</td> <td>Citizen of Another State <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5</td> <td>Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country <input type="checkbox"/> 3</td> <td>Citizen or Subject of a Foreign Country <input type="checkbox"/> 3</td> <td>Foreign Nation <input type="checkbox"/> 6</td> <td>Foreign Nation <input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF	PTF	DEF	Citizen of This State <input checked="" type="checkbox"/> 1	Citizen of This State <input checked="" type="checkbox"/> 1	Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4	Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4	Citizen of Another State <input checked="" type="checkbox"/> 2	Citizen of Another State <input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5	Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country <input type="checkbox"/> 3	Citizen or Subject of a Foreign Country <input type="checkbox"/> 3	Foreign Nation <input type="checkbox"/> 6	Foreign Nation <input type="checkbox"/> 6				
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<b>V. ORIGIN</b> (Place an "X" in One Box Only) <input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from Another District (specify) <input type="checkbox"/> 6 Multidistrict Litigation - Transfer <input type="checkbox"/> 8 Multidistrict Litigation - Direct File																							
<b>VI. CAUSE OF ACTION</b> Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <u>28 U.S.C. § 1331, 28 U.S.C. § 1367, 18 U.S.C. § 2251 and 28 U.S.C. § 1391(b)(2)</u> Brief description of cause: <u>Sexual assault, battery and child rape; negligent infliction of emotional distress; sexual exploitation of a child; cover-up</u>																							
<b>VII. REQUESTED IN COMPLAINT:</b> <input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.    DEMAND \$ in excess of \$75,000 CHECK YES only if demanded in complaint:    JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																							
<b>VIII. RELATED CASE(S) IF ANY</b> (See instructions):    JUDGE _____ DOCKET NUMBER _____																							

DATE October 2, 2018 SIGNATURE OF ATTORNEY OF RECORD \_\_\_\_\_

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_

Case: 1:18-cv-00121  
Assigned To : Parrish, Jill N.  
Assign. Date : 10/2/2018  
Description: Doe v Doe

Craig K. Vernon (USB No. 16737)  
James, Vernon & Weeks, P.A.  
1626 Lincoln Way  
Coeur d'Alene, ID 83814  
Phone: (208) 667-0683

*Attorney for Plaintiffs*

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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTAL DIVISION

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JANE DOE 1, JANE DOE 2, JANE DOE 3,  
JANE DOE 4, JOHN DOE 1, and JOHN  
DOE 2,

Plaintiffs,

vs.

DOE 1 MALE DEFENDANT and DOE 2  
FEMALE DEFENDANT, a community;

Defendants.

Case No. 2:18-cv-\_\_\_\_\_  
Judge:

**COMPLAINT AND REQUEST FOR  
JURY TRIAL**

**JURY DEMANDED**

COMES NOW the Plaintiffs, JANE DOE 1, JANE DOE 2, JANE DOE 3, JANE DOE 4, JOHN DOE 1 and JOHN DOE 2, and through their undersigned counsel bring this Complaint and Request for Jury Trial ("Complaint") against Defendants DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT, a community, based upon information and belief available at the time of the filing.

**I. PARTIES, JURISDICTION AND VENUE**

1. JANE DOE 1 is a citizen of the State of Maryland, residing in Maryland. JANE DOE 2 is a citizen of the State of California, residing in California. JANE DOE 3 is a citizen of

the State of Utah, residing in Utah. JANE DOE 4 is a citizen of the State of Arizona, residing in Arizona. JOHN DOE 1 is a citizen of the State of Utah, residing in Utah. JOHN DOE 2 is a citizen of the State of Utah, residing in Utah. Plaintiff's true names have been provided to attorneys for Defendants prior to the filing of this complaint.

2. Defendants, DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT, are citizens of the State of Utah, residing in Utah.

3. Plaintiffs bring this Complaint under federal question and supplemental jurisdiction, 28 U.S.C. § 1331 and 28 U.S.C. § 1367, as this court holds original jurisdiction over Plaintiffs' 18 U.S.C. § 2251 claim, and the other claims in this action are so related as to form part of the same case.

4. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b)(2).

## **II. FACTUAL ALLEGATIONS**

### **A. BACKGROUND INFORMATION**

5. This complaint references terms commonly used by members of the Church of Jesus Christ of Latter-Day Saints (hereinafter "LDS Church" or "the Church"). All parties were members of the LDS Church (or children blessed in the Church and not yet members because they had not yet reached the age of 8) at the time of the events described.

### **B. SEXUAL CRIMES COMMITTED AGAINST JANE DOE 1, JANE DOE 2, AND JOHN DOE 1**

6. JANE DOE 1, JANE DOE 2, and JOHN DOE 1 ("Plaintiff Group 1") are the biological children of a sexual predator, hereinafter referred to as "Perpetrator." The Perpetrator is no longer a living person having committed suicide in 1995. Defendants DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT, along with Perpetrator (who were in the same LDS ward in Bountiful, Utah) committed sexual abuse, when the opportunity allowed,

against JANE DOE 1, JANE DOE 2, and, after he reached approximately a year old, JOHN DOE 1, from approximately early 1984 to late 1985 (or early January 1986) in Bountiful, Utah. At the time of the abuse, Plaintiffs were all under the age of nine. There were other similarly aged children, believed to be in the same LDS ward, who, along with Plaintiffs, were also victims of these crimes.

7. DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT led what they called “touching parties” at their home and at the Perpetrator’s home. These “touching parties” were sometimes attended by acquaintances and friends of Defendants and Perpetrator. In addition, a 16-year-old babysitter, who was a young woman in this same LDS ward, would be present from time to time. It is believed that this babysitter was both a victim of crimes against her and a perpetrator of crimes. This 16-year-old babysitter is no longer living as it is believed that she, like the Perpetrator, committed suicide. The parties would occur one to two times per month, seemingly whenever there was opportunity for the adults to isolate the children.

8. During these “touching parties,” some of the Plaintiff’s in Plaintiff Group 1 would be forced to undress and perform acts of sexual perversion. Typically, the “touching parties” would begin with the adults instructing the children to “put on a show” for them, including dancing and ending with the children undressing, while the adults applauded and encouraged. Once the children were naked, Defendants, Perpetrator and any others present would sexually assault the children by touching their genitals, and vaginally and anally penetrating them with fingers and objects such as crayons or candy.

9. DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT, along with Perpetrator and others present at these parties, would force the children to touch the genitals and/or breasts of the others present. The children were additionally forced to put their mouths on and lick



the genitals of DOE 1 MALE DEFENDANT and Perpetrator. DOE 1 MALE DEFENDANT and Perpetrator would not fully undress but would expose their penises to the children and coerce and manipulate the children to perform these vile acts, which the adults would call “marriage lessons.”

10. On at least one occasion, the children were forced to watch as Perpetrator had sex with (statutorily raped) the 16-year-old babysitter; on another occasion Perpetrator had sex with the children’s paternal grandmother, Perpetrator’s mother, while the children were forced to watch.

11. Furthermore, DOE 1 MALE DEFENDANT, DOE 2 FEMALE DEFENDANT and Perpetrator would put candy on the children’s genitals and force the other children to lick the candy off. JANE DOE 1 remembers this occurring when her brother, JOHN DOE 1, was just a year old. Defendants and/or Perpetrator (depending on the occasion) would remove JOHN DOE 1’s clothing, touch his penis until he was erect, put powdery candy on his erect penis, and make the other children, including his siblings, lick the candy off him.

12. Over time, DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT began videotaping the “touching parties.” JANE DOE 1, who was the oldest of the children at the time of the assaults, recalls the Defendants videotaping the children dancing and undressing and continuing to film as the sexual assaults and rapes occurred.

13. In addition to the children of Plaintiff Group 1, other young children from the ward were also victims of sexual assaults and rapes at these parties.

14. Included herein as *Exhibits 1, 2, and 3* are redacted versions of declarations from JANE DOE 1, JANE DOE 2, and JOHN DOE 1, respectively, explaining the horrific abuse they suffered at the hands of Defendants and Perpetrator. Also included as *Exhibit 4* is a declaration from JANE DOE 5, another victim of these crimes who is not a party to this lawsuit.

### **C. DISCLOSURE OF THE ABUSE AND EVENTS FOLLOWING**

15. In January of 1986, the mother of JANE DOE 1, JANE DOE 2, and JOHN DOE 1 (hereinafter “MOTHER 1”) heard from a neighbor that the neighbor’s children were being sexually abused. As a precaution, she took JANE DOE 1 to the Intermountain Sexual Abuse Treatment Center (ISAT) to engage in counseling sessions. At these sessions, JANE DOE 1 disclosed that she had been abused by the 16-year-old babysitter (who was previously mentioned in the paragraphs above) and two unknown teenage boys. Shortly thereafter, MOTHER 1 spoke with her local LDS Bishop and his First Counselor about the abuse. DOE 1 MALE DEFENDANT, who was the Second Counselor of this LDS ward at the time, was notably absent from the meeting. Initially, these men were very supportive of MOTHER 1’s efforts to investigate the abuse.

16. Shortly thereafter, JANE DOE 1 identified to MOTHER 1 that DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT sexually assaulted children at so called “touching parties.”

17. Roughly a week after DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT were identified for their part in these crimes against children, the children of Plaintiff Group 1 and their mother arrived at sacrament meeting on Sunday to find an Apostle, who had not ever visited their ward until that time, sitting with his daughter DOE 2 FEMALE DEFENDANT and her children in the congregation.

18. Shortly after the visit by the Apostle in late January or early February 1986, JANE DOE 1 identified Perpetrator, her own father, as participating with DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT in committing these heinous crimes against children.

19. After these disclosures, MOTHER 1 decided to take her children to Hawaii to visit their grandparents. In March of 1986, Perpetrator began psychiatric evaluation and treatment at

Johns Hopkins in Maryland. He was discharged in June 1986 with the principal diagnosis of pedophilia.

20. Subsequently, the children of Plaintiff Group 1 and their mother were approached by Neil A. Maxwell, another Apostle of the Church, who gave each of the children and their mother a priesthood blessing in an attempt to help them heal from the horrors of the sexual abuse and crimes committed against them. In these blessings, Maxwell discussed how the perpetrators of the sexual crimes made “horrible choices” and that God would be the judge of the perpetrators. Maxwell further blessed each of them for comfort and instructed them to “forgive and forget”.

21. The children of Plaintiff Group 1 continued to receive psychiatric treatment for much of their adolescence. Their psychiatrist was Dr. Paul L. Whitehead, a board-certified specialist in child and adolescent psychiatry. Dr. Whitehead began treating JANE DOE 1, JANE DOE 2, JANE DOE 5, and JOHN DOE 1 a few months after the abuse ended and continued to treat them until they were 18, 16, 13 and 18, respectively. Included herein as *Exhibit 5* is a redacted version of Dr. Whitehead’s declaration, which confirms that all the children were badly damaged as a result of the horrific sexual abuse they endured at the hands of DOE 1 MALE DEFENDANT, DOE 2 FEMALE DEFENDANT and Perpetrator.

22. Also included herein as *Exhibit 6* is the redacted version declaration of MOTHER 1, detailing the disclosure to her of the abuse her children suffered as well as the steps she took following the disclosure.

#### **D. SEXUAL CRIMES COMMITTED AGAINST JANE DOE 3, JANE DOE 4, AND JOHN DOE 2**

23. Sometime after divorcing MOTHER 1, Perpetrator began a relationship with, and later married the mother of JANE DOE 3, JANE DOE 4, and JOHN DOE 2, collectively Plaintiff Group 2. Perpetrator and the mother of Plaintiff Group 2 (hereinafter “MOTHER 2”) had two

children together, including JOHN DOE 2. MOTHER 2 married Perpetrator in 1988.

24. In an effort to prevent further sexual crimes from occurring against Perpetrator's new children and step-children, Perpetrator's first wife, MOTHER 1, called his second wife, MOTHER 2, and attempted to inform her that Perpetrator was a pedophile and that he abused her four children. MOTHER 2 did not believe her and relied upon the decision of Church leaders not to excommunicate or punish Perpetrator as proof that Perpetrator and the Defendants did not commit the heinous acts they were being accused of. Tragically, unbeknownst to MOTHER 2, Perpetrator began sexually abusing the children of Plaintiff Group 2 almost immediately after they moved into his home with MOTHER 2. He sexually assaulted JANE DOE 3 and JANE DOE 4 two to three times a week on average and began sexually assaulting JOHN DOE 2 shortly after he turned a year old.

25. The sexual assaults committed against Plaintiff Group 2 by Perpetrator were horrific. Perpetrator would isolate JANE DOE 3 and JANE DOE 4 in the upstairs bathroom of their home, fondle them, and vaginally and anally rape them with his fingers. Additionally, Perpetrator would use his penis and other objects, such as brush handles to vaginally and anally penetrate them. At other times, Perpetrator would force JANE DOE 3 and JANE DOE 4 to perform oral sex on him. On these occasions, Perpetrator was not fully naked, but wore his temple garments during these heinous crimes. Perpetrator would often ejaculate on JANE DOES 3 and 4.

26. These sexual assaults occurred most frequently in the upstairs bathroom of the home, but sometimes, when MOTHER 2 was out of the house, also occurred in the bedroom of Perpetrator and MOTHER 2.

27. On one occasion, JANE DOE 4 remembers Perpetrator using excessive violence in

his abuse. That night, missionaries from the Church had attended dinner at their home; JANE DOE 4 was asked to say the prayer at dinner and she prayed that JANE DOE 3, with whom she shared a bed, would stop peeing the bed. Perpetrator became very angry at her prayer and that night, after the missionaries had left the home, Perpetrator took her to the bathroom where he inserted a pencil into her vagina and stabbed repeatedly and with such force that the pencil broke inside her. Perpetrator panicked and fearing that he would have to take JANE DOE 4 to the hospital, dug inside her vagina until he was able to retrieve the pencil. This was very painful and caused considerable damage.

28. As a result of the abuse inflicted upon her by Perpetrator, JANE DOE 4 had to undergo reconstructive surgery on her vaginal canal at age 15 due to excessive scar tissue. Later in life, JANE DOE 4 additionally had to have part of her cervix removed due to excessive scar tissue, causing all her children to be born prematurely.

29. As a toddler, JOHN DOE 2 would become hysterical if he was left alone with Perpetrator, if he was made to shower with Perpetrator, or if Perpetrator ever changed his diaper.

30. In August of 1995, JANE DOE 3 and JANE DOE 4 disclosed to MOTHER 2 the abuse they suffered at the hands of Perpetrator. MOTHER 2 contacted the Utah Department of Children and Family Services and Perpetrator moved out of the house. The next day, Utah police executed a warrant for Perpetrator's arrest and he fled the state to Arizona. When he returned to Utah in October of 1995, he committed suicide.

31. MOTHER 2 would never have married Perpetrator but for the fact that she believed the allegations against him were lies. As a devout member of the Church and employee of the Church (she worked at the Church Office Building in the membership department) MOTHER 2 was familiar with the handbooks and policies of the Church. Per Church policy, she was convinced

that these allegations were false. Because, if true, the Perpetrator and the Defendants would have been excommunicated for sexually assaulting and raping kids.

32. Included herein as *Exhibits 7 and 8*, respectively, are redacted declarations of JANE DOE 3 and JANE DOE 4, detailing the horrific abuse they were forced to endure for several years during their adolescence. Also included as *Exhibit 9* is the declaration of MOTHER 2, detailing the disclosure to her of the abuse her children suffered as well as steps she took after the disclosure.

**III. CLAIMS SPECIFIC TO JANE DOE 1, JANE DOE 2,  
AND JOHN DOE 1 (PLAINTIFF GROUP 1)**

**A. FIRST CAUSE OF ACTION:  
SEXUAL ASSAULT, BATTERY AND CHILD RAPE**

33. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

34. This claim is brought within 35 years of each of the victims' 18th birthdays under Utah Code § 78B-2-308(7) and has therefore been timely brought.

35. Plaintiffs JANE DOE 1, JANE DOE 2, and/or JOHN DOE 1, (collectively "Plaintiff Group 1") were sexually molested, sexually assaulted, forced to perform sexual acts and raped by DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT as explained in the paragraphs above.

36. DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT, by their wrongful actions, proximately caused JANE DOE 1, JANE DOE 2, and JOHN DOE 1 to suffer severe and permanent, physical, emotional and mental injuries.

37. As a result of the above-described conduct, JANE DOE 1, JANE DOE 2, and JOHN DOE 1 have suffered, and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; have suffered and continue to suffer



spiritually; were prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

**B. SECOND CAUSE OF ACTION:  
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

38. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

39. Since January of 1986, DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT have successively utilized their status within the Church, both as leaders in their own right and as the daughter and son-in-law of an Apostle of the Church, to cover up the crimes they committed against JANE DOE 1, JANE DOE 2, and JOHN DOE 1. This included (lockstep with Perpetrator) lying to the police and influencing the criminal investigation; influencing leaders of the Church to ignore Church policy and not convene a Church disciplinary hearing against themselves or Perpetrator; and further actions which encouraged and enabled Defendants and Perpetrator to escape criminal prosecution and not be excommunicated from the Church for the heinous sexual crimes they committed against these children.

40. Since 1986, these Defendants actively engaged in covering up this criminal activity. While Perpetrator committed suicide in 1995, Defendants continued to be promoted to higher and higher church callings, including a highly coveted and esteemed position as a Mission President. Defendants, by their actions and inactions, have caused JANE DOE 1, JANE DOE 2, and JOHN DOE 1 severe emotional distress. This emotional distress has been ongoing.

41. Defendants were negligent in their actions, courses of conduct, and omissions as described hereinabove.

42. Defendants knew or should have known that emotional distress, with physical

manifestations, was the likely or foreseeable result of their actions, courses of conduct, and omissions as described hereinabove.

43. Defendants' actions, courses of conduct, and omissions were the direct and proximate cause of JANE DOE 1, JANE DOE 2, and JOHN DOE 1's severe emotional distress with physical manifestations.

44. The emotional distress sustained by JANE DOE 1, JANE DOE 2, and JOHN DOE 1 was of such nature that a reasonable person in their situation would have likely suffered similar emotional distress, with physical manifestations.

45. As a result of the above-described conduct, JANE DOE 1, JANE DOE 2 and JOHN DOE 1 have suffered, and continue to suffer, great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; have suffered and continue to suffer spiritually; were prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

#### **IV. CLAIMS SPECIFIC TO JOHN DOE 1**

##### **THIRD CAUSE OF ACTION:**

##### **18 U.S.C. §2251 - SEXUAL EXPLOITATION OF A CHILD BY DEFENDANTS**

46. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

47. By their actions, DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT induced, enticed, and coerced JOHN DOE 1 to participate in the activities described hereinabove.

48. The Defendants did so with the intent that JOHN DOE 1 (and the older children

who were present at the time) engage in sexually explicit content for the purpose of producing a visual depiction of such conduct.

49. The visual depiction was produced using materials that, upon information and belief have been mailed, shipped or transported in or affecting interstate commerce.

50. JOHN DOE 1 was a minor at the time of production of these visual depictions (as were the older children who were present at the time) and was at all times of filming less than two years of age.

51. This resulted in injuries that caused and will continue to cause JOHN DOE 1 to suffer great pain of mind and body, shock, severe and extreme emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; has suffered and continues to suffer spiritually; was prevented and will continue to be prevented from performing his daily activities and obtaining the full enjoyment of life; has sustained and will continue to sustain loss of earnings and earning capacity; and has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

52. JOHN DOE 1's claim is not barred by the applicable statute of limitations as he did not discover that he was videotaped until 2018. As this claim is brought within ten years of the discovery of the injury that forms the basis of this claim, it has been timely filed.

**V. CLAIMS SPECIFIC TO THE JANE DOE 3, JANE DOE 4,  
AND JOHN DOE 2 (PLAINTIFF GROUP 2)**

**A. FOURTH CAUSE OF ACTION:  
SEXUAL ASSAULT, BATTERY AND CHILD RAPE  
ENCOURAGED AND ENABLED BY THE COVER-UP OF DEFENDANTS**

53. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

54. This claim is brought within 35 years of each of the victims' 18th birthdays under

Utah Code § 78B-2-308(7) and has therefore been timely brought.

55. From approximately 1988 to 1995, while Perpetrator was married to their mother and resided with them in their family home, Perpetrator repeatedly sexually assaulted and raped his step-daughters JANE DOE 3 and JANE DOE 4. The sexual assaults inflicted upon JOHN DOE 2 started in late 1994 or early 1995.

56. Perpetrator penetrated JANE DOE 3 and JANE DOE 4 vaginally and anally using his fingers, his penis and household objects. Perpetrator forced JANE DOE 3 and JANE DOE 4 to perform oral sex on him. He also sexually assaulted JOHN DOE 2 when he was around a year old.

57. Defendants' liability for the criminal acts of Perpetrator, who is dead, arises from Utah Code § 78B-2-308(6)(b) which references § 76-2-202. Here, Defendants engaged in affirmative acts (as described in the paragraphs above) to embolden, help and therefore encourage Perpetrator in committing these heinous crimes against Plaintiff Group 2.

58. As a result of these actions, most specifically, Defendants protecting themselves and Perpetrator from being excommunicated, MOTHER 2 believed that Perpetrator was safe and a righteous priesthood holder. She then married him, allowing him access to her daughters.

59. DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT, by their wrongful actions, were a proximate cause of significant damage to JANE DOE 3, JANE DOE 4, and JOHN DOE 2. Defendants are therefore liable under Utah Code § 78B-2-308(6)(b) for encouraging Perpetrator in commission of further crimes against children.

60. As a result of the above-described conduct, JANE DOE 3, JANE DOE 4, and JOHN DOE 2 have suffered, and continue to suffer, great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem,

disgrace, humiliation, and loss of enjoyment of life; have suffered and continue to suffer spiritually; were prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

**B. FIFTH CAUSE OF ACTION:  
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

61. Plaintiffs incorporate all paragraphs of this Complaint as if fully set forth herein.

62. From approximately late 1988 to early 1995, Perpetrator frequently and violently assaulted and raped JANE DOE 3 and JANE DOE 4 vaginally, anally and orally with the use of his hands, penis, and objects found around the house.

63. During this period, and with full knowledge of Perpetrator's prior sexual assaults and rapes of children, DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT continued to actively cover up their crimes and the crimes Perpetrator committed alongside them.

64. Defendants were negligent in their actions, courses of conduct, and omissions as described hereinabove.

65. Defendants knew or should have known that emotional distress, with physical manifestations, was the likely or foreseeable result of their actions.

66. Defendants' actions, including the conspiracy of silence they orchestrated, were a direct and proximate cause of JANE DOE 3, JANE DOE 4, and JOHN DOE 2's severe emotional distress with physical manifestations.

67. The emotional distress sustained by JANE DOE 3, JANE DOE 4, and JOHN DOE 2 was of such nature that a reasonable person in their situation would have likely suffered similar emotional distress, with physical manifestations.

68. As a result of the above-described conduct, JANE DOE 3, JANE DOE 4, and JOHN DOE 2 have suffered, and continue to suffer, great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; have suffered and continue to suffer spiritually; were prevented and will continue to be prevented from performing their daily activities and obtaining the full enjoyment of life; have sustained and will continue to sustain loss of earnings and earning capacity; and have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

**RESERVATION OF RIGHTS TO SEEK COURT PERMISSION TO AMEND THE COMPLAINT TO ADD ADDITIONAL DEFENDANTS AT A LATER DATE**

Plaintiffs reserve their rights to seek permission from the Court to amend this complaint at a later date to add other living individuals believed to be liable under Utah Code § 78B-2-308(6)(b) for enabling and encouraging Perpetrator in commission of further crimes against children. This may include, but is not limited to, the Bishop of this LDS ward, the Stake President, and the father and father in law of DOE 2 FEMALE DEFENDANT, and DOE 1 MALE DEFENDANT. It is believed that one or more of these persons used their influence in the Church and the community, acting with DOE 1 MALE DEFENDANT, DOE 2 FEMALE DEFENDANT and Perpetrator so that they did not face requisite punishment by the Church or by the law for the heinous crimes they committed against children in the mid 1980's. By their affirmative acts, it is believed that at least one or more of these persons messaged to other members of the Church that Perpetrator and Defendants were safe and trustworthy members by actively choosing not to hold a Church disciplinary counsel resulting in the excommunication of those who sexually harmed children. By doing so, at least one or more of these persons acted with DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT in encouraging and enabling Perpetrator to continue to commit similar



heinous crimes against JANE DOES 3 and 4 and JOHN DOE 2.

**WHEREFORE**, Plaintiffs pray for judgment against DOE 1 MALE DEFENDANT and DOE 2 FEMALE DEFENDANT, as follows:

1. Non-economic damages as set forth above, in an amount to be determined by the jury at the time of trial;
2. Economic damages for medical expenses for psychological treatment, therapy, and counseling, and loss of earnings and earning capacity in an amount to be determined by the jury at the time of trial;
3. For Plaintiffs' reasonable attorney's fees, costs and disbursements to the extent permitted by law;
4. Statutory/civil penalties according to law; and
5. For any other relief this Court deems just and equitable.

DATED this 2nd day of October, 2018.

JAMES, VERNON & WEEKS, P.A.  
*Attorneys for Plaintiffs*



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Craig K. Vernon, USB 16767

# Exhibit “1”

**DECLARATION OF Jane Doe 1**

I, Jane Doe 1, declare under criminal penalty under the law of Utah that the foregoing is true and correct:

1. I am over the age of eighteen and competent to testify to the statements herein.

2. From approximately 1983 to 1986, while I was 5-8 years old, my siblings and I were sexually assaulted on numerous occasions by my father, Perpetrator, <sup>Doe 1, Male Def. & Doe 2, Female Def.</sup>, who were in our local ward, my grandmother, LS, and a teenage babysitter, who was also in our ward. There were also other teenagers and adults involved from time to time.

3. The abuse included “touching parties”, which were gathering of adults, teenagers and children. The adults involved were primarily Perpetrator, and D1D & D2D. My teenage babysitter, who also babysat the <sup>Doe Defs.</sup> children, was named CW. When the “touching parties” first started, my younger sister, <sup>Jane Doe 5,</sup> and the daughter of D1D & D2D, who was <sup>Jane Doe 5's</sup> age, were involved. As I got older, the younger daughter of D1D & D2D became involved as did my younger siblings, <sup>Jane Doe 2</sup> and <sup>John Doe 1.</sup> I also remember seeing BD, another young girl from the ward, at some of the parties. These parties would happen frequently; sometimes on a weekly basis, sometimes 1-2 times a month. I remember having “touching parties” on Saturday and then going to Church on Sunday and having D2D, aka “Sister D2D”, be our primary chorister and having her husband, D1D, sit up on the stand since he was in the Bishopric.

4. Typically, the “touching parties” would start with the adults telling us to “put on a show” for them. These shows were usually “dances” that me, <sup>Jane Doe 5</sup> and the oldest daughter of D1D & D2D would perform. These dances would always end with us undressing. I remember this is when the applause from the adults and our babysitter would get the loudest. After

we were naked, the adults (and teenage babysitter) would sexually assault us.

5. This included touching our private parts and penetrating us vaginally and anally with their finger and sometimes using objects like crayons or candy to penetrate us. I recall D1D being the meanest of the adults. He seemed to encourage the others to participate. There were usually treats and bribes involved at every stage of the parties. The fondling included the adults masturbating me and the other children.

6. The adults also forced me and the other children to touch and masturbate them. The adults would refer to the touching as "marriage lessons." I was forced to touch and lick D1D and Perp.'s genitals. D1D and Perp. did not always get completely naked but would expose their penises and make me touch and suck them. I was also forced to touch the bare breasts of D2D as well as my teenage babysitter, CW

7. It seemed to me that D1D was in charge of the parties and would encourage all of the kids to perform. He would also encourage involvement of the adults. At one of these parties, I saw my father Perp. having sex with our babysitter, CW. At another, I saw him having sex with our grandmother, LS.

8. These parties would take place at my house, at D1D & D2D's house, and at my grandmother's house. These parties seemed to happen nearly every time the babysitter would watch us, or when our mom was out of town or away from the house. There were times when my mom and Perp. were on a date and the parties would happen at my house with just D1D & D2D, CW and sometimes another older adult man and/or friends of CW being present.

9. When I became older, Jane Doe 2 and John Doe 1 were also present at these parties. I remember Jane Doe 2 being touched. Similar to what happened to Jane Doe 5 and me, there were times when each of these adults penetrated Jane Doe 2's vagina with their fingers. There were other times

when Jane Doe 2 was penetrated with objects.

10. When John Doe 1 was just over a year old, he became an object at these parties as well. The adults would get John Doe 1 naked and touch him. They seemed to delight in the fact that they could make John Doe 1 erect at such a young age. They would put candy on John Doe 1's erect penis and make me and the other kids lick candy off him.

11. The adults started to video tape some of the "touching parties". I recall when we were doing our "dance" and then being undressed that we were being videotaped. The videotaping would continue during the sexual assaults and rapes that I have described above.

12. There were often threats or punishments so that we wouldn't tell anyone what was happening. Some of these threats or punishments included making us drink a concoction containing urine and feces. Other times we were forced to drink coffee. After drinking the coffee, the adults proceeded to shame us for being bad since we were breaking the Word of Wisdom. They explained that since we were wicked, nobody would believe us, so we better not tell anyone.

13. Throughout the years of abuse by my dad, D1D, D2D, and others, I prayed to Heavenly Father for the hurting to stop. After we disclosed the names of our abusers, my mom kicked my dad out of the house. We then spent some time with my Belle and Boppa, my maternal grandparents, at their condo in Hawaii.

14. While I was in Hawaii, my maternal grandmother typed a poem that I wrote about the abuse I suffered at the hands of<sup>Perp.</sup>, D1D & D2D .. The poem is attached as Exhibit A.

15. After returning from Hawaii, I remember being visited by Apostle Neil A. Maxwell. Elder Maxwell was a friend of my maternal grandparents. Elder Maxwell gave me and each of my younger siblings a blessing by laying his hands on my head. During that blessing he said something to the effect that the abusers had made "horrible choices". He talked about how God

would be the judge of these adult abusers and that I needed to forgive.

16. Perp. baptized me when I turned 8 years old, during the time period that he, D1D & D2D and others were doing these terrible things to me. After disclosing the abuse, I expressed a desire to be re-baptized as I believed that my original baptism was tainted and should not count because Perp. was not a worthy priesthood holder. This request for a rebaptism was granted sometime after Elder Maxwell gave me a blessing.

17. As part of my upbringing, I wrote in a journal on an almost weekly basis. In some of my entries, I wrote about the abuse I suffered. Some of the relevant pages are attached as Exhibit B.

Signed on the 22 day of August, 2018, at Derwood (city or county),  
Maryland (state).

Jane Doe 1

A black rectangular box redacting the signature of Jane Doe 1.

Signature



# Exhibit “A”

## to Declaration of

Jane Doe 1

Exhibit 1 to Complaint, Page 6 of 13

**Exhibit “A”**

**Exhibit “A”**

**Exhibit “A”**

Jane Doe 1

March 1788 by 8 year

Feb. 128  
Prudential-Bache  
Securities

To Daddy

Daddy I hate you. Daddy I do.  
 You have done wicked things  
 And D2D has too.

You have made me suck on your penis  
 And took me to your awful mom's  
 She worse than you  
 You have tricked Mommie.  
 And lied to her too.  
 You took me to <sup>D1D & D2D</sup>  
 And I'd like to hit you.  
 I truly do hate you  
 Way worse than I would hate to eat mud.  
 Daddy I would like to strike you dead  
 But the good part of you I love more than my own head.  
 We're in Hawaii, I miss you so much.  
 We've truly had such great, great fun  
 And read so many stories and had so many treats  
 But Daddy I miss you the most when we're on the beach.

I have not gone snorkling  
 \* With Boppa but twice  
 And then we fed the fish  
 Cakes made of rice.  
 I have a new swimming suit  
~~Light~~ Light purple with straps  
 That go across my shoulders  
 And then down my back.  
 It also has a frilly skirt  
 Made of two white ruffles that when I play  
 They twirl like a dress on a holliday.

Boppa was here for a week or two  
 And Belle has helped me  
 To tell things about you.  
 We know that D1D & D2D, the Ws and the Ss'  
 Put together would not equal you and Grandma put together.  
 I hated those parties  
 They weren't any fun  
 Even though the treats were quite mummy and fun.  
 I hated the games you forced us to play  
 And the way that you made us  
 Touch your penis olay.

We've rented some movies  
 And popped us some corn  
 And watched the videos  
 With no note of scorn.  
 John Doe 1 threw his glass down  
 And of Belle's dishes broke  
 A glass full of water, and ice on her porch.  
 We've gone on some picnics  
 And played in the waves  
 And gone shopping for games.  
 On the last day that Boppa was here in Hawaii  
 We went shopping and Boppa ran away.

Exhibit 1 to Complaint, Page 7 of 13

We finally found him  
With <sup>John Doe 1</sup> and an ice cream cone  
And <sup>John Doe 1</sup> was all happy  
And we ate the chicken to the bone.

Prudential-Bache  
Securities

Public Finance  
Daddy I truly miss you.  
And I can't wait til we're home,  
But for now I'm just writing you  
This <sup>(L.H.D.)</sup> poem!

THE END

Jane Doe 1

by

Exhibit 1 to Complaint, Page 8 of 13

# **Exhibit “B”**

## **to Declaration of**

Jane Doe 1

Exhibit 1 to Complaint, Page 9 of 13

**Exhibit “B”**

**Exhibit “B”**

**Exhibit “B”**



March 1986

Free - 2005

John Doe 1

D-1D

CW

I feel bad  
I think Shondan is pregnant again  
when we make this going to be so far to be away  
from this horrible roller disgusting stinking people.

March 16, 1984

Jane Doe 2

Jane Doe 5

Morning is being a total brat. All the I love  
you sentences in this book I wish I could cross out.  
We went and saw Wiki's play. We think Shadow is  
going to have kittens again. And I want to  
bun up the dress that Grandma gave to  
Mama. I'm buying a little war now. And we are going  
to burn up everything for winter people gear us.  
I feel like I'm a little bit of a brat.



PAGE NO.

kind of sad to be going to a new school where  
I won't know anybody cause I know some but  
Mamma's putting me in the dumb class.  
We went to the cabin + had a fun time. We saw  
our 2nd cousin.

R.W.

I feel sad about growing up because I have  
to leave behind my toys + I start paying more  
interest to friends. And so I start paying more  
attention to my books. But growing up is fun  
too. Cause your body start changing so you  
start changing + you get smarter.

It was good we told. Even though our  
prayers weren't answered the way we wanted  
them to be. Because we wanted the wicked  
people to just stop without us telling. And I  
told the State President the articles of Faith +  
he told me what they meant. He kept telling me  
that I had to have faith. I felt better after  
I talked to him. It was like throwing up.

Why don't you drive me out to Dr. Whitehead  
whenever I'm feeling bad.

I hope Daddy will get better so that Mamma  
won't get married to some body else.

I had a fun time at my party. I had a  
party with my my new friends + I found out  
that there is only one girl going to be in my  
class maybe. Probably she'll be in the other class.

Aug 17

Hi there!!  
Probably I'm going to be in the  
North 1st class. I'm going to be in the  
to put me in 1st class. I'm going to be in the  
prince 1st class. I'm going to be in the  
it is because I'm going to be in the  
class.



And at Raging Waters, I had fun especially in the wave pool.

I had an excellent apt. at Dr. Whitehead. I talked + I talked + I talked + I talked + Dr. Whitehead said it I'd talk 'till that good word really see some changes. In feelings. So our hands will change color inside.

D1D

Yeah, doesn't get to be his testimony or be that important thing any more. It used to make me feel awful. Grandmother was scaredy cat! She has a for sale sign in front of her house + is trying to move it away. She's scared of us! She's got an ounce of brains. It makes me feel + triumphant! One day will put her in our car + shove her in our wood burning stove + keep her there until the police come.

Aug 24

Tomorrow we are going to the Apple Pie & Honey I was to camp I had a whole week. My was a typo. After and Katrina bagged her and she and I are in charge. My dam broke off to be a fire. I thought to appear in the log to be a fire. I thought to appear in the log to be a fire.



John Doe 2

John Doe 1

was a boy. Afterward  
lost his penis in prison.

Don't you feel sorry for S + A 3 April T  
 He'll be raised with this - and they'll take it out  
 on their own kids even more since they don't have

so many kids to do +

I got a blessing from the stake president. He said it's all right to get mad at him.

Sept 13

Shogel says I'm doing good.  
Teacher said I'm doing fair. It was fun.

Shogol has been doing good.  
Teacher said I'm doing good.  
We want to be the best for our  
team for a while. We encourage

Jane Doe S

Jane Doe 5 -

Blow - tail. So far

Main -  
I'm doing  
of deck at Dr. D...  
apts + one of  
+  
+  
+



# Exhibit “2”

## DECLARATION OF Jane Doe 2

I, Jane Doe 2, declare under criminal penalty under the law of Utah that the foregoing is true and correct:

1. I am over the age of eighteen and competent to testify to the statements herein.
2. Though I was too young to remember much of the abuse, from my conversations with my mother, my sisters, and my therapist, I believe that from 1982 to 1985, from when I was a newborn to when I was 3 years old, my siblings and I were sexually assaulted on numerous occasions by my father Perpetrator our family friends from our Mormon ward, Doe 1, Male Def. and Doe 2, Female Def., my paternal grandmother, LS, our teenage babysitter from our ward, CW, as well as numerous other individuals. I remember thinking that my dad and ~~\*\*\*\*\*~~ D1D & D2D were “icky” and wicked for the things they did to me. I also remember all of the stress it caused my family.
3. I understand that I was objectified and sexually assaulted during “touching parties” by the adults mentioned above. I have a recollection of being told to kiss and lick the adults present, as well as some of the other kids in inappropriate places. I was told to lick the penises of the adult men. I remember that there were always multiple people present, and that this happened on numerous occasions. I also remember that they placed candy in my bottom and touched my bottom. I recall them placing candy on other kids and being told to lick the candy off.
4. I specifically remember hiding under the tree at Christmas one year in order to get away from my dad and his “marriage lessons.”
5. From my conversations with my mother and my sisters, I recall that I told my mother that D1D & D2D threatened to run her over with D1D’s truck if I told anyone what went on at the touching parties.

6. Attached hereto as Exhibit A are selected pages from my journal (written by my mother from what I was telling her) that describe my feelings after the sexual assaults.

Signed on the 21 day of August, 2018, at Redwood City (city or county),  
CA (state).

Jane Doe 2

A black rectangular box redacting the signature of Jane Doe 2.

Signature

# Exhibit “A”

## to Declaration of Jane Doe 2



Ummmm. Mmmmm. I love you Mommy. I  
love you <sup>K</sup>. You aren't letting me have a  
cookie. I can have a cookie Mommy.

March 9, 1986

We went to Hawaii. And we went to the  
ocean at Hawaii. And it was so fun that  
we almost laughed off our head.

And we love the good people but not the bad  
people. I love you dear good people. Bad. Bad people

D1D, D2D, CW, Tinkle Face and Mustard  
Mouth. That's all I want to say. Because Daddy  
is trying to change.

March 16, 1986

Jane Doe 5 is not going to dry her hair. I love you  
Mommy. I wish that I had a cat my berry own. It's  
boring looking at houses.

March 23, 1986

I don't know if Daddy is going to get ready  
to change or not. Cherry red + Cherry Blue had  
a Dad + a Mother + a Thirt came in + they searched  
their little bodies of their little kids. So  
Grandma called up + said can I have your  
kids + they said no you can't hurt them  
anymore + they said why? And they said  
that the Ucky people who touched our  
body were good. And I said were  
good + you're bad.

March 30, 1986

It takes so long for Dads to get out of  
hospitals.

I've got the silly pick. I've got the



silly John Doe 1  
 had Easter because I got too much Easter Candy.  
 We got too much presents! And we got a puppy.  
 April 6, 1986  
 We went swimming. We had a birthday cake  
 for Boppa and Belle. We're still in our family.  
 Diane. Or Daddy because he is one of the wicked  
 people. D1D  
 April 13, 1986  
 I love you Mommy. I'm glad Belle + Boppa got  
 new car. I love you from Belle + Boppa to Mommy  
 happy we're going to move.  
 April 20, 1986  
 I love you Mommy. We don't know when  
 daddy is going to be better and come home.  
 We play at Nursery School. We eat at Nursery  
 school.  
 April 27, 1986  
 I love you from Mama to Dada. We do have  
 puppy but it used to be sick. My new house  
 is not built yet. We know what all of the  
 planets names are. I went to Nursery School at  
 primary.  
 May 14, 1986



anything.

The time we went on swimming me & A Ryan were silly. We kept getting out of the big pool and climbing in the hot tub.

I remember Daddy. Wicked people. Just Daddy.

Aug. 17, 1986

I bring happiness to my family when I do my work and get dressed! I'm going to say that in my program in Sunbeams. I had fun at my Sunbeam party. It was crazy. Jane Doe 5 picked me up before I even had my treat. Jane Doe 1

It was fun at raging waters. I just went in the little waves. At the ocean I got more used to the waves because I went there more than once. I went down the slides.

We want the yucky people to be burned up. DLD already got burned up and so did D2D.

Daddy doesn't have to be. He's repenting. We talk to this to Mommy, Belle, Viki, Wendy, Dr. Whitthead, Dr. White head is very nice.

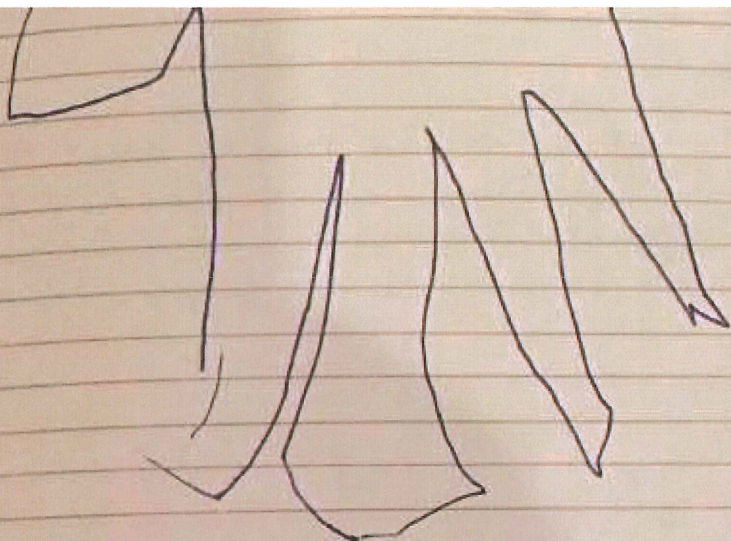
Aug. 24, 1986

One day there lived a mother and a grandmother. That grandmother was very lovable and she took Jane Doe 1 and Jane Doe 5 to camp and she missed us so much that we made her something and she loved it so much that she hugged us.

And it was very fun. We all were excited about starting new schools but we had to watch plays and videos and we made it so we should have just one sweet a day.

Me and Holy Ghost and prophecy and Jesus Christ.





Aug. 30, 1986

The lady was mean on the boats and didn't even let a 3 year old on. And so we went on Puff the Dragon. I hate the lady that was on the boats. This is an S Jane Doe 5. I loved it so much on all of the rides. The Alpine slide was fun. Jane Doe 1 + Jane Doe 5 were such a dodo. They wanted to be in front of us. I love you with all my heart but I hate Diane, D1D, D2D, D1D, and one other person. And every person who is wicked in the world. I'm earning lots of stickers at Dr. Whitehead.



my favorite but my favorite was when they were on their trapeze.

~~Sept.~~ Oct. 3, 1986

Today is my birthday! To day is really my birthday month. I like Rags. I'm going to be a witch for Halloween. I love Mommy. We made shakers at Nursery School. I have lots of friends; Brittany, Emme, Rachel, Mandy, Nikki, Rags!

Oct. 12, 1986

I love you. De De Doo. I love you. My birthday is coming in 3 days! My birthday is coming soon! I'm so excited! Happy birthday to you. I love you with all my heart for my blessings. I love Mommy. I love Jane Doe 1 + Jane Doe 5. I don't know where they are. I've gone to the Cinderella park. I went to the zoo with Mommy + John Doe 1. It was kind of boring for me but John Doe 1 found this car and he wanted to be the driver + I sat in back. I hate antique show. It was so boring I couldn't even stand. And I thought it was going to be fun. Dr. Whitehead gives me candy + he lets me play sorry all alone. I like it. I like Daddy. I got mad at him when he touched me



me. I didn't believe about it. I didn't believe about it when he touched me. He hurt me some. He kind of locked us in the bedroom so the wicked people wouldn't touch us. But then the wicked people unlocked it & touched us. But I'm not still mad cause he's been so gone for a long time. I can't even remember him. I can remember Diane, CW, D1D, and D2D. They touched me. They hurt me some. I'm still mad at them.

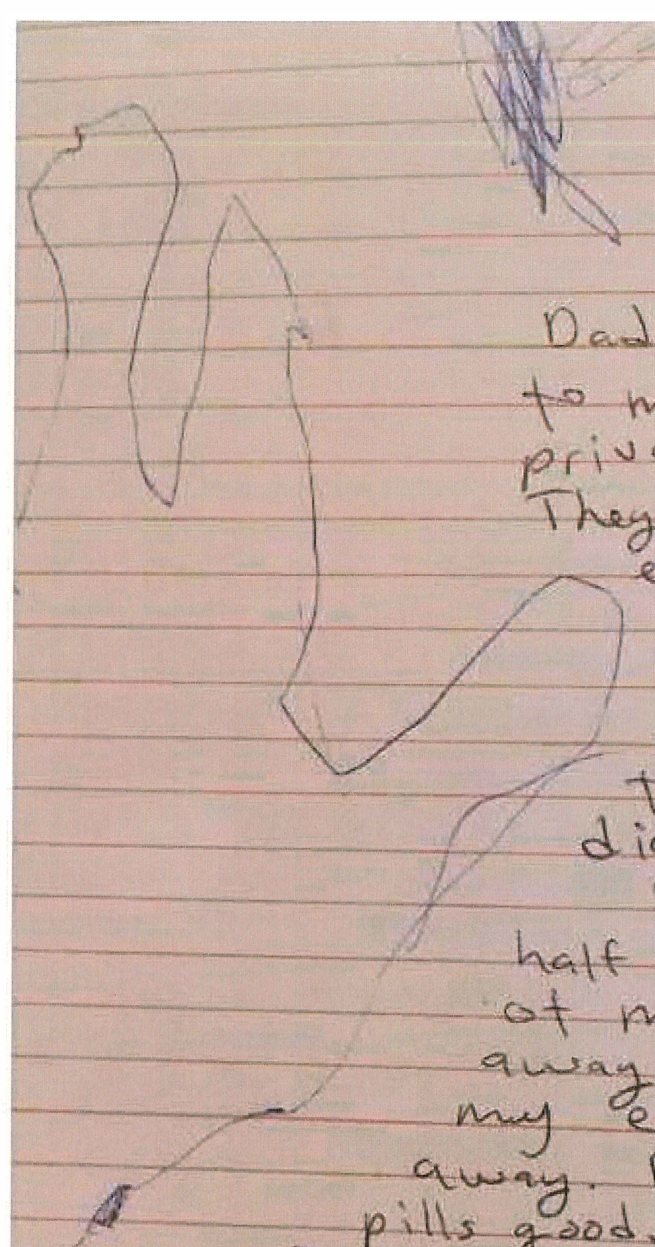
Oct. 18, 1986

I liked my birthday! I liked the clown. The clown came and I hadn't even invited him! but I was happy she came. I got a purse, a puzzle that Emmy wants to do her own self and not let me do, markers, necklace, a chart, a backpack which Jane Doe S has been telling stupid things. I got a sandbox from Mommy, I got a chalkboard, I got a whale from Jane Doe I and clay from John Doe I. Boppa and Belle gave me hats and a magic picture and T-shirt paint.

Oct. 25, 1986

I like Daddy. And it's fun to play the Daddy song. It's fun to play with Daddy but Daddy's gone. I like playing on the computer and I used to not know.





I think about  
Daddy about being bad  
to me. Touching my  
private in wicked ways.  
They kissed me on my  
eyes my nose my  
mouth my bottom  
my leg. I  
think about that  
that they are really  
diabreha.

I only have to take  
half a pill because some  
of my energy has gone  
away because some of  
my energy has been taken  
away. Because I take my  
pills good. If I feel happier  
inside some of my energy gets  
taken away.



Jan 11, 1987

When Daddy gets better we're going to let him come and visit us Kind of. And it's fun when Daddy comes and visits us. Cause we havent seen him for a long time. Of course I miss Daddy. No one wants to be lcky here but in P. U. Bountiful theres a whole bunch of them. Thats why I call it P. U. Daddy loves me a whole bunch. He does some kind of wicked stuff. I remember, it hasnt been so long. It doesnt make me feel very bad at all cause most of the feelings have gone out. But I still remember. I just think "now I see here".

Jan 18, 1987

If Daddy gets better he might visit us if we want him to. We only live with our Mom now cause our Dad is to sick to live with us.

I love Hero Day! It was fun. We had a whole bunch of cake and we eat and **DID** and put seeds in him and pulled the cotton out ~~from~~ of him. It was very fun on Hero Day cause we went swimming in a warm warm pool and the deep was cold and **John Doe** went in the deep and Boppa went with us. It was so fun that we couldnt hear you until you shouted & then we got out. And **John Doe** was about to run right back in!

Mommy gave me my beautiful trunk and my name and everything else except the video. On Hero day its just like Christmas only you dont get anything big like a rocking chair. Cause its close to the day we told.

We forgotten most of the wicked things cause we go to Dr. Whitehead. I only have a little bit of those feelings inside.

Jan 26/87.

Let me see here, OK. I got it. I got a rocking chair & I got po and puppies from christ man.



cousin. I was crying and come down the steps to Mommy. The rest of the time I had fun at Tresses at a Daystar.

I only have a few more nights to sleep in my room. I'm earning a two wheeler scooter.

I like Tresses. Belle + Boppy came to see me. And Erica + Gary.

I used to have a funny feeling in my tummy burning. And I love my mom.

That's you Mother 1. And I love Belle + Boppy. And Everyone. I hate the icky people. Perpetrator Just Perpetrator Did bad yucky stuff.

I go to Dinosaur Class. That's all.  
13 March

It's snowing, and I can ride my scooter over the rocks with one foot on and snow. I can.

I love my Mom. Yeah yeah yeah. My mom had her hair brown and then she got it red + then she got it brown. I did these tricky steps on the snow. I did one foot and the other foot and then I did two feet.

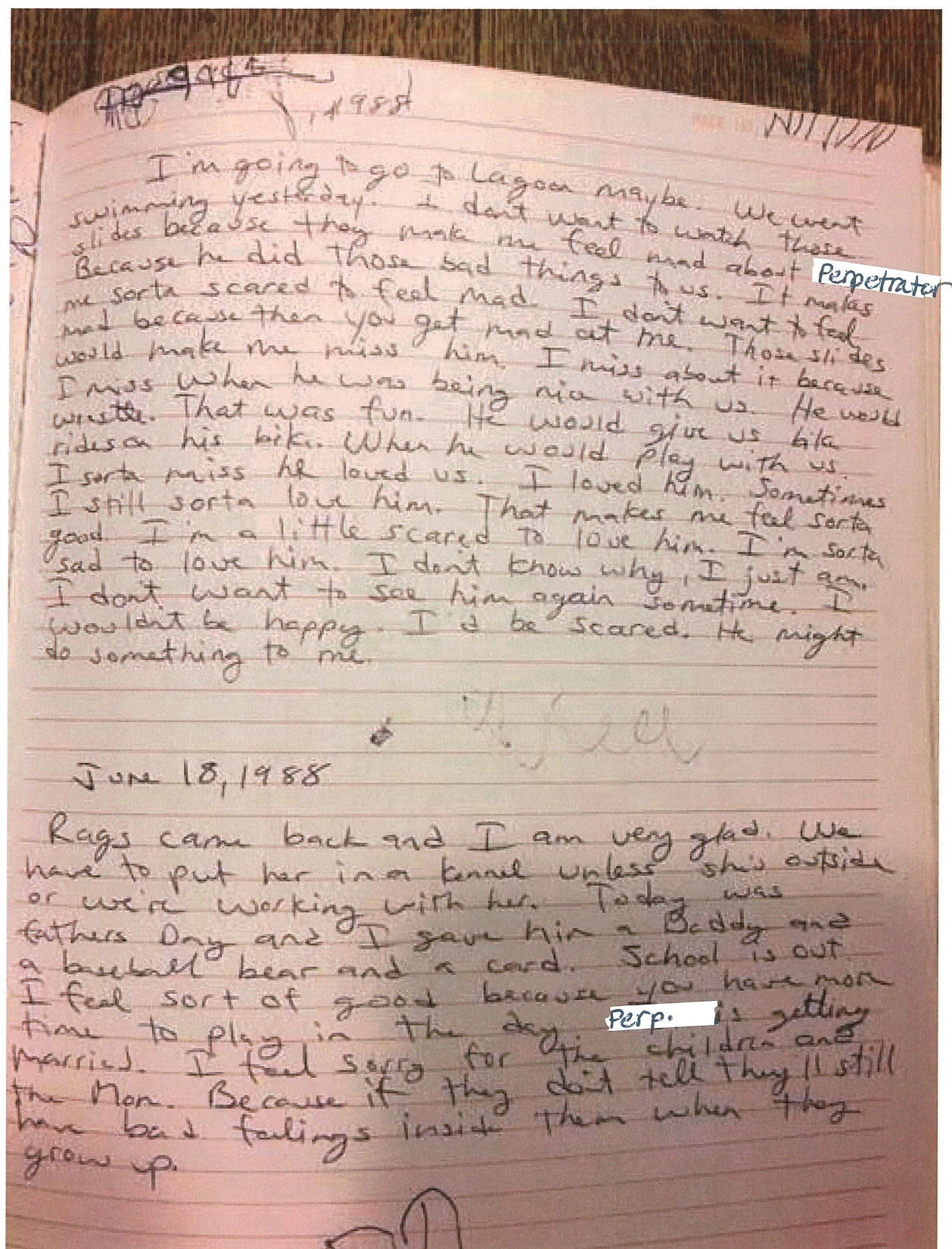
I went out to eat with Rick. At McDonald's. Sometimes I don't like John Doe at all. I love

Jane Doe 1 and Jane Doe 5. I love to have a turn with the birds. Rick is 41. I'm going to earn a bubble gum machine. I got a two wheeler scooter!

I like the little swim pool I do not like the big waves. I am earning a bubble gum machine without hitting my little brother John Doe 1. I like you Mommy.

John Doe 1 Sometimes. I ate 3 pears. I did a dance about a baby. It's called My Mommy comes back. We're learning about dinosaurs. We got a sandbox and I made my handprint. Belle and Boppy are moving. That's all I want to say.







# Exhibit “3”

**DECLARATION OF**

John Doe 1

I, John Doe 1, declare under criminal penalty under the law of Utah that the foregoing is true and correct:

1. I am over the age of eighteen and competent to testify to the statements herein.
2. I was too young to remember any of the abuse, and don't have any independent recollection of the events that my sisters have detailed, but I do remember how much turmoil these events caused our family.
3. Throughout my life, I have grown up with significant problems such as body shame, chronic depression, and have felt isolated and uncomfortable in my own skin. I have also had intermittent substance abuse issues.
4. As a child, I had vivid recurrent nightmares of people touching me. In these nightmares, I would wake up to discover that my pajama bottoms had been taken off, and that the people had taken my blanket. They would then touch my penis and laugh at me.
5. It was only in the last few months or so that I discovered that I was videotaped and abused as a baby. It was not until my mother met with an attorney that she revealed to me the full names and identities of my abusers, and that they had videotaped my abuse. Prior to that, I had heard my mom and sisters mention " D1D & D2D " and how awful they were, but I had no idea who those people were. After hearing their last names, I typed them in on google and discovered my grandmother's stories, and the full extent of the abuse I had suffered.

Signed on the 24 day of August, 2018, at Salt Lake City (city or county),  
Utah (state).

John Doe 1



Signature

# Exhibit “4”

**DECLARATION OF Jane Doe 5**

I, **Jane Doe 5** declare under criminal penalty under the law of Utah, that the foregoing is true and correct:

1. I am over the age of eighteen and competent to testify to the statements herein.

2. From about 3-6 years old, my siblings and I were sexually assaulted on numerous occasions by my father, **Perpetrator**, our family friends, **D1D** and **D2D**, my grandmother, **LS**, our teenage babysitter **CW**, and a few times by friends of **CW** and a man I believe was named **DM**.

3. I recall the sexual assaults taking place at my house, the **D1D & D2D** house, and our paternal grandmother, **LS**'s house. The sexual assaults seemed to happen anytime we were being babysat, our mom was not at home, or whenever we would go to **D1D & D2D** house.

4. I recall being forced to participate in "touching parties", typically with **Perp.** and the **D1D & D2D** present. My babysitter, my paternal grandmother, and others were occasionally present at these "touching parties". It seemed like **D1D & D2D**, especially **D1D**, were in charge at these parties. I recall being told, along with my sister **Jane Doe 1**, to put on dances. At the end of the dances we were told to pull up our dresses and then undress. This is when the applause by the adults who were present would be the loudest. After we were naked, the adults would touch us and fondle us in our genital areas. We were told that all the touching was for the purpose of making us ready for marriage and motherhood.

5. On occasion, I recall the touching going further. There were times when **Perp.** and **D1D** would take turns penetrating my vagina and with their fingers. While **Perp.** and **D1D** would do this most frequently, there were times when **D2D** did this as well as my babysitter. There were times when I was also penetrated with objects like a crayon.

6. I was also forced, along with Jane Doe 1, and D1D and D2Ds daughter, to touch the men's genitals. Sometimes, this was just Perp and D1D. Sometimes there were others. The men would expose themselves and we were forced to touch them. There were also occasions when we were forced to suck on their penises. There were times when we were forced to touch the bare breasts of D2D and of our babysitter. There were times when the adults would also make the kids touch each other.

7. The touching parties would occasionally include other activities, such as swimming, where we would be told to swim nude for the adults. We had an indoor pool in our house. While at one of these parties, we were forced to watch our Perp have sex with our babysitter. Another time, we saw him having sex with our grandmother LS as well.

8. I also recall being touched on multiple occasions while getting ready for a gymnastics class I was in with C.M., D1D & D2D's oldest daughter. Frequently, D2D or D1D would make up some excuse, like that my underwear was showing, in order to get me to take off my leotard. They would then "help" me to take off my leotard. I remember always wanting to keep my underpants on, but both D1D and D2D would want me to take them off. They would then proceed to touch me in my genital area. This seemed to happen every time they took me to gymnastics with C.M. :

9. My younger sister, Jane Doe 2, began being involved in the touching parties as she got older. Then, my younger brother John Doe 1 became involved as well. They were touched, sexually assaulted and objectified in a similar fashion that me and my older sister Jane Doe 1 were subjected to.

10. These "touching parties" were frequently videotaped. While it seems that all the adults took turns behind the camera, I recall D2D doing most of the videotaping. I believe this

video camera belonged to D1D and D2D I don't believe our family had a video camera back then.

11. In order to get us to keep the touching parties a secret, I recall being threatened and punished. For example, one time my maternal grandmother, LS, made us drink coffee. She and the other adults told us that we were bad, and that even if we told others what happened, no one would believe us because we drank coffee.

Signed on the 22 day of August, 2018, at Salt Lake (city or county),  
Utah (state).

Jane Doe 5

A large black rectangular box redacting the signature of Jane Doe 5.

Signature

# Exhibit “5”

**DECLARATION OF PAUL L. WHITEHEAD, M.D.**

I, PAUL L. WHITEHEAD, M.D., do declare under criminal penalty under the law of the State of Utah that the following is true and correct:

1. That I am over the age of 18 years and competent to testify to the statements made herein.

2. I am a medical doctor, specializing in psychiatry and neurology-psychiatry. I have been practicing since 1967. I retired from the practice of medicine in approximately 2011. I was board certified in general psychiatry and child and adolescent psychiatry.

3. I treated the children of Mother 1 for trauma each of them suffered from being sexually abused and assaulted in a group setting by numerous adults including Perpetrator, D1D and D2D. PLW

4. I started treating Jane Doe 1 on a regular basis a few months after the horrific sexual abuse ended. Jane Doe 1 was 8 years old when her treatment started. Treatment continued until she was approximately 18 years old.

5. Like Jane Doe 1, I started treated Jane Doe 5 a few months after the sexual abuse ended. Jane Doe 5 was 6 years old when treatment began, and I treated her until she was approximately 13 years old.

6. I started treating Jane Doe 2 when she was 3 years old and treated her until she was approximately 16 years old.



7. I started treating **John Doe 1** when he was 3 years old and treated him until he was approximately 18 years old.

8. All the [REDACTED] children were badly damaged as a result of the horrific sexual abuse. Each required prolonged and extensive treatment.

9 [REDACTED]

Signed on the <sup>th</sup>~~12~~ day of September, 2018, at ~~Hall~~aday, Utah.

  
PAUL L. WHITEHEAD, M.D.

# Exhibit “6”

DECLARATION OF Mother 1 C

I, Mother 1 declare under criminal penalty under the law of Utah that the foregoing is true and correct:

1. I am over the age of eighteen and competent to testify to the statements herein.

2. In late January or early February of 1986, my children identified Doe 1, Male Defendant and Doe 2, Female Def. as having sexually assaulted and raped them. This was shortly after identifying their teenage babysitter CW, two of her friends, and an older, "yellow haired man," as perpetrators. After naming these perpetrators, they disclosed that my ex-husband ~~Doe 1, Male Def.~~ <sup>Perp.</sup> and his mother, LS were also perpetrators of horrible crimes against them.

3. Within days of the initial disclosure, I had a meeting with the Bishop of my ward, Bishop G, and his first counselor, Dr. B. Dr. B and his wife, CB, had a young son who had recently been sexually abused by Arden Brett Bullock. When Bishop G and Dr. B found out about the allegations, they believed my children were telling the truth about being sexually assaulted by the babysitter and her friends. The Bishop's second counselor was D1D who was noticeably absent from the meeting. After D1D, D2D and my ex-husband, Perp. (who was the ward clerk at the time), were named as perpetrators. I didn't hear again from the Bishop until many months later.

4. It was a Sunday morning, either the end of January 1986, or beginning of February 1986, when my two oldest daughters disclosed some of the despicable acts that D1D & D2D committed during the so called "touching parties." This Sunday morning, Perp. was already at Bishopric meeting and I was getting my children ready to go to Church. Jane Doe 5 was very upset. She was crying and saying, "I don't want to go, I don't want to go." Then Jane Doe 1 chimed in

screaming, "I don't want to go either, I don't want to see D1D This was followed up with, "I don't want to see D2D either." I remember being confused as to why they were calling these adult church leaders by their first names instead of Brother D1D and Sister D2D . Then, Jane Doe 1 and Jane Doe 5 told me about the "touching parties."

5. When I asked them about what happened at the "touching parties" the girls had a huge outburst, ripping up papers, disposable diapers, baby wipes, and anything they could get their hands on. They were frantic. They were screaming. Intermittently during this outburst, they would explain to me about what happened at the "touching parties" that were led by D1D and

D2D , The adults would encourage the kids to do a performance, like a dance. Then there was a race to see who could take their clothes off the fastest amongst the children. This was accompanied by enthusiastic applause from the pedophile adults present. Then the performances would continue. The adults got undressed sometimes, and sometimes not. The kids explained how D1D would sometimes be in his garments and sometimes in his clothes and that he would just take off his bottoms while leaving the top on. D2D would sometimes take her top off and make my daughters and others touch her breasts. Other details included how D1D would point his penis at the child that was supposed to get up and dance or perform. I learned from my two oldest daughters of how D1D and D2D along with the babysitter and others committed unspeakable sexual assaults and rapes (with a finger or an object). When I asked my children when this happened, they explained that it happened when CW was babysitting them at my home, when they were playing at D1D & D2D's residence, or playing at the B family residence.

6. A few days after my two oldest daughters identified D1D & D2D as perpetrators, my youngest daughter Jane Doe 2 told me, " D1D & D2D lied. They didn't kill us." This prompted a discussion with all three of my daughters about what this meant. My daughters explained that

D1D & D2D had threatened to kill them if they told anybody. They explained how D1D had shown them the guns that he kept in his house and could use to kill them. D1D also threatened to kill them by drowning them. They explained that D1D also threatened to kill me, their mother, if they told anybody. He threatened that he would run me over with his big truck.

7. This discussion continued, and my children had another outburst. Jane Doe 2 had her "Fisher Price" toy camera and she was pretending to videotape as my older daughters pretended to kill D1D and D2D. This prompted further discussion and question about whether D1D & D2D

had videotaped them. My daughters then disclosed that most of the time the "touching parties" were videotaped. They explained that only D1D and D2D did the videotaping.

8. In April of 1986, at the request of the investigating police department, I took my children to Dr. MP, a pediatrician at Primary Children's Hospital. I sat in on the examinations of my children. This was horrific. Dr. P confirmed that all of my children, including John Doe 1 were sexually assaulted. This included the fact that my daughters had vaginal and anal scarring. And, that John Doe 1, my toddler, had anal scarring. He then proceeded to ask my kids, while I sat in the room with them, if the people that sexually assaulted them had ever given them shots. My girls explained how D1D and D2D would give them shots in their upper thighs, so it wouldn't hurt when they stuck a finger or an object in them.

9 I learned that in addition to my children, D1D & D2D's children and the B family children, there were other children from our ward that, from time to time, would be sexually victimized at these touching parties. This included BD, the daughter of JD and LD and another girl named JS.

10. D2D is the daughter of the Apostle, who was called to be one of the twelve Apostles in 1984. D1D is the Apostle's son in-law. Prior to D1D & D2D

being identified as perpetrators of these terrible crimes against my children and other children, Apostle had never visited our ward.

11. Within a week or two of D1D & D2D being identified as perpetrators of these crimes and the police starting an investigation, we went to church and the Apostle himself was there, along with his wife, sitting with D2D (his daughter) and her children in sacrament meeting. Instead of sitting on the stand, the Apostle was sitting in the pews with the normal members. I recall the Bishop standing up and acknowledging the Apostle sitting with his family in the congregation.

12. Shortly after the Apostle visit, around mid-February 1986, I took my children to my mother's condo in Hawaii to get away from this nightmare. When we left, I firmly believed that there would be justice; that D1D, D2D, and Perp. would be excommunicated from the Church and criminally prosecuted. When I returned however, everything seemed to change.

13. Prior to the Apostle appearance in the ward, the police had been dogged in investigating the abuse. They had interviewed me, my mother, MS, and the children's therapist at ISAT, Dr. Barbara Snow. After his appearance however, they went eerily silent, and stopped telling me what was happening with the investigation.

14. When I spoke to Bishop G again in July of 1986, the tone was different. Instead of believing my kids, Bishop G told me that Perp. was the priesthood holder and that I needed to believe him over my own children. I told Bishop G that I absolutely believed my children and that Perp. had just been released from Johns Hopkins University where he had admitted to the sexual crimes against my children and other children and his involvement in the touching parties with D1D and D2D. Perp. was diagnosed as a pedophile upon his discharge from



Johns Hopkins. Attached hereto as Exhibit A are records from Johns Hopkins showing the diagnosis.

15. My mother and father were good friends with Apostle Neil A. Maxwell. After <sup>D1D</sup>  
**D2D** and <sup>Perp.</sup> were all identified as perpetrators, my mother, **MS**,  
contacted Elder Maxwell and told him what had happened. Elder Maxwell visited our house,  
where he gave me and my children a special priesthood blessing, an apostolic blessing. I recall  
that he blessed me with comfort. He further stated that the Lord will have his justice, but that it  
was his to take, and that I should forgive and leave it to the Lord. I recall him blessing my children  
in a similar fashion.

16. While Elder Maxwell was at our house, <sup>Jane Doe 1</sup> asked him if she could be  
rebaptized. She said she didn't think her original baptism (which was performed by <sup>Perp.</sup> counted,  
because <sup>Perp.</sup> was bad. Apostle Maxwell agreed to allowing her to be rebaptized. Elder Maxwell  
knew of the allegations being made against **D1D** **D2D** and <sup>Perp.</sup> yet the Church  
refused to ever take any disciplinary action against them.

Signed on the 23 day of August, 2018, at Redwood City, CA (city or county), Utah.

Mother 1



Signature

# Exhibit “A” to Declaration of Mother 1

## THE JOHNS HOPKINS HOSPITAL

FINAL PROGRESS NOTE <sup>Page 5</sup>

NO ABBREVIATIONS FOR DIAGNOSES AND PROCEDURES

b 174 19 95  
Perpetrator  
08/25/52 H

DATE:

30 June 1986

CONDITION  
ON DISCHARGE:

Improved

DISCHARGE  
ATTENDING:

Fred Berlin, MD

PRINCIPAL DIAGNOSIS:

(Diagnosis established after study to be chiefly responsible for admission):

Pedophilia (302.20)

OTHER DIAGNOSES: (All conditions existing at time of admission or developing subsequently affecting treatment received and/or length of stay).

Adjustment Disorder with mixed emotional  
features (309.28)OTHER DIAGNOSES NOT RELATING  
TO THIS ADMISSION:PRINCIPAL (Performed for definitive treatment  
PROCEDURE: or significant diagnostic procedure.)

DATE:

OPERATING  
PHYSICIANATTENDING  
SURGEONOTHER  
PROCEDURES:

BRIEF HISTORY, MAJOR FINDINGS, HOSPITAL COURSE:

33-year old w/o attorney from Utah who was implicated in several incidents of ~~child~~ sexual abuse of young children (his son, daughter, & nieces). Pt did not deny these incidents might have occurred but did say he was unable to remember them. Through treatment he became more effective in

## THE JOHNS HOPKINS HOSPITAL

## MEDICAL RECORDS

## NOTE PAPER, T

(PLEASE DATE EACH ENTRY)

Physician notes begin here

Nonphysician notes begin here

Perpetrator

5-21-86 1500 NPN — The pt. discussed the content of the sodium amytal interview to the nurse. He admits to remembering many inappropriate sexual acts that he was involved in to his children & mother. He denies however, being sexually aroused by his children but does state that he had an erection during the time of the instances. He also denies ever climaxing when demonstrating sexual acts on his children. He explains the incidents by stating that he has a great need to be in control & he connects control to sexual control. He states that not climaxing is a form of maximal control. He states also that he showed control over his sexual life to his wife by not complying to having sex when she wanted it but doing it only when he wanted it & initiated the act. When asked why wasn't that bit of control enough, He stated that he wanted to have that same type of control over his children like his mother has over him. He also admits that the "tabooness" of it was a real turn on, just being able to get away & cheating on my wife. He also state that doing this to his children

# Exhibit “7”

## DECLARATION OF Jane Doe 3

I, **Jane Doe 3**, declare under criminal penalty under the law of Utah that the foregoing is true and correct:

1. I am over the age of eighteen and competent to testify to the statements herein.
2. Around the time I was eight years old, **Perpetrator** married my mother, **Mother 2**. Shortly after the wedding, we moved to Cottonwood Heights. There, <sup>Perp.</sup> began to sexually assault me and my siblings. This continued until I reached puberty, which was around age 13. When I reached puberty, the sexual assaults not only abruptly stopped, but <sup>Perp.</sup> started to treat me like I didn't exist.
3. The sexual assaults were horrific. Painful, both emotionally and physically. <sup>Perp.</sup> would take me into the upstairs bathroom and sexually assault and rape me. This included fondling, and vaginal and anal rape with his finger. He also vaginally and anally raped me with his penis and other objects, like brush handles.
4. At other times, he would make me perform oral sex on him. He typically wasn't naked, but wearing his temple garments. He would expose himself and make me perform oral sex on him. When he was finished, he would often ejaculate on me. These sexual assaults/rapes happened about twice a week from the time he married my mother until I reached puberty. Attached as Exhibit A is a record of an interview from August of 1995 where I explain these assaults.
5. Most of the abuse took place in the upstairs bathroom. A few times it occurred in my parents' room as well. <sup>Perp.</sup> would make me watch porn movies with him there. I remember them being especially graphic movies, with oversized dildos and object penetration. I was shocked because it appeared the actors were enjoying this. When <sup>Perp.</sup> penetrated me with objects, it hurt so much and was more of a punishment.



6. During this time, my mother had a very time-consuming calling in the Church. I believe she was in the Stake Relief Society Presidency and a homemaking supervisor. I remember her always being gone for Church-related business. When she was home, she slept most of the time. My mother had TMJ and other health related issues. She had several prescriptions for these health-related issues. She would take her pills and sleep. The sexual assaults and rapes occurred when my Mom was either out of the house or sleeping downstairs.

7. Growing up, I assumed that the repeated sexual assaults and rapes were punishment. I always thought I was doing something wrong, and that if I was good enough, the sexual abuse would stop.

8. When I was 12 years old, I told my Bishop, Bishop M. , about the sexual assaults and rapes. He appeared shocked and in disbelief. He said he would investigate. Nothing was done. This further certified to me that it was my fault.

9. After my disclosure to Bishop M. , the sexual assault/rapes of me and my sister Jane Doe 4 continued. It seemed to get worse. Around this time, my mother became aware of what was going on. She eventually called the police. The police started investigating Perp. .

10. In addition to sexually abusing my sister Jane Doe 4 , I believe that Perp. sexually abused my half-brothers Justin and John Doe 2 as well. After the police became involved, Perp. and my mom split up. I recall my younger brothers being hysterical whenever they were told that they were going to our paternal grandmother, LS 's house. Perp. would make them go there for swimming. After their first few visits to LS 's house, I put my foot down and said I wouldn't let the boys go over without me. Perp. backed off shortly thereafter. I didn't think about what had happened there, I just didn't want anything to happen to them. John Doe 2 would also become hysterical if Perp. were ever to change his diaper. This is a distinct memory I have that led me to

believe <sup>Perp.</sup> was touching my younger brothers as well.

Signed on the \_\_20\_\_ day of August, 2018, at \_\_Salt Lake City\_\_ (city  
or county), \_\_Utah\_\_ (state).

Jane Doe 3

A large black rectangular redaction box covering the signature of Jane Doe 3.

# Exhibit “A”

to Declaration of  
Jane Doe 3



State of Utah

GARY R. HERBERT  
Governor

SPENCER J. COX  
Lieutenant Governor

Department of Human Services

ANN SILVERBERG WILLIAMSON  
Executive Director

Division of Child and Family Services

DIANE MOORE  
Director

Salt Lake Valley Region

RAY HARRIS  
Director

August 23, 2018

Craig Vernon  
1626 Lincoln Way  
Coeur d'Alene ID 83814

E-mail: CVernon@JVWLaw.net

Dear Mr. Vernon:

Your request for records from the Division of Child and Family Services has been reviewed and completed. I have denied in whole or in part, your request for these records. Please see remarks below for explanation regarding your specific records request.

- X The names, addresses, telephone numbers, and specific information that could identify or lead to the discovery of the identity of the person(s) making the initial report (referent). (UCA §62A-4a-412(3)).
- X Pursuant to Utah Code Ann. § 63G-2-302, the information is classified as private. Such as other persons information.
- [ ] Discussion between the Child and Family Services and their attorney
- [ ] Information withheld due to Federal law restriction on disclosure on substance abuse, Cite to 42 C.F.R. Part 2 Such as other person's drug testing results or evaluations.
- X Pursuant to Utah Code Ann. §63G-2-202 (10), a record contained in the DCFS Management Information System that is found to be unsubstantiated, unsupported, or without merit may not be disclosed to any person except the person who is alleged in the report to be a perpetrator of abuse, neglect, or dependency. CPS 512495

You have the right to appeal the denial of any withheld information. If you choose to do so you will need to send a written statement, within 30 days of receipt of this letter to:

**Chief Administrative Officer, Department of Human Services,  
195 North 1950 West, SLC, Utah 84116**

Your appeal must contain your name, your mailing address, your daytime telephone number and a statement of the relief you seek. If you have any questions, please contact me at 801-253-5747 or slgrama@utah.gov

Sincerely,

*Sue Smith*

Sue Smith  
GRAMA Specialist  
Salt Lake Valley Region, Auditor



29 AUG

0920

Both listed victims were brought to CJC by their mother. Mother was present as support for the girls, however, did not actually sit in on the interviews with them.

Jane Doe 3 was interviewed first. She disclosed being sexually abused by her step-father, <sup>Perp.</sup> She stated the first time she was abused by him was when she was 7 years old and that the last time was in the 5th grade when she was about 10. She stated that he would touch her "butt" with his finger, tongue, and penis. She stated that there was digital penetration to the vagina. Jane Doe 3 was having a very difficult time talking about the abuse. She appeared embarrassed and stated that she felt like she was to blame. She stated that he would always take her into the bathroom and tell her she was being punished for being bad. At the same time he was sexually abusing her, he would spank or hit her across the head for additional punishment. As the interview went on she disclosed more types of abuse. She stated that he put his penis in her "butt" - "more than once". She stated that he did penetrate her both annaly and vaginally with his penis. She stated that he would also set her on the toilet and then masturbated until he ejaculated on her. She stated that it happened "a lot". It was always for punishment. He would get her out of her room at night when her mom was gone to relief society or another church meeting. She states that she thinks he has done this to her sister and brothers. She states that one time he took her sister out of the room they shared. She states he has been physically abusive to brothers. They come back afraid after visits with him. She and her sister do not have visits with their step-father. She states SF blamed the parents divorce on her and she is accepting the blame. The parents were already in the process of a divorce when she told her mom about the sexual abuse. She didn't feel like her mom believed her at first, but now feels that her mom believes and is protecting.

# Exhibit “8”

## DECLARATION OF Jane Doe 4

I, Jane Doe 4 declare under criminal penalty under the law of Utah that the foregoing is true and correct:

1. I am over the age of eighteen and competent to testify to the statements herein.
2. From about the age of five, when **Perpetrator** married my mother, to the time of their separation and divorce when I was about 12 years old, <sup>Perp.</sup> physically and sexually abused me and my siblings. I was sexually assaulted and raped two to three times a week on average.
3. About 90% of the time, <sup>Perp.</sup> was a great parent and a role model. The other 10% of the time, he was a monster. Most of the sexual assaults occurred in the upstairs bathroom. <sup>Perp.</sup> sexually assaulted and raped me in that upstairs bathroom too many times to remember. This included fondling, vaginal rape and anal rape. <sup>Perp.</sup> vaginally and anally raped me with his finger as well as with objects, like brush handles. He also made me put my mouth on his penis and suck it.
4. When <sup>Perp.</sup> would rape me with objects, this was not a gentle insertion, but something meant to stab, to cut, and to hurt. Looking back on it now, I would call it genital mutilation. I believed it was a type of punishment.
5. There were times when <sup>Perp.</sup> would make me watch porn with him. This porn seemed to feature only females, who would often use dildos on themselves and on one another. I remember the porn being disturbing because the people on the screen seemed to like what was going on, while I could only think of how much it hurt every time he did it to me.
6. When <sup>Perp.</sup> would make me perform oral sex on him, he typically wasn't naked but wearing his temple garments. He would expose himself and make me perform oral sex on him.

When he was finished, he would often ejaculate on me.

7. <sup>Perp.</sup> seemed to use the sexual assaults and rapes as a form of punishment for bad behavior. I remember thinking that I was the bad child and wishing that I could be as good as <sup>Jane Doe 3</sup> was, so that I wouldn't keep being hurt. I thought that <sup>Jane Doe 3</sup> was good, and so I never imagined that he was hurting her in a similar fashion as well.

8. I remember one occasion when the missionaries came over for dinner. I was asked to say the prayer at dinner. I prayed for <sup>Jane Doe 3</sup> to stop peeing the bed that I shared with her at the time. <sup>Perp.</sup> was mad at me for this. That night, <sup>Perp.</sup> took me to the bathroom, and inserted a pencil into my vagina, which he stabbed repeatedly and with such force that the pencil broke inside of me. <sup>Perp.</sup> was panicked. Fearing that he would have to take me to the hospital, he dug until he was able to retrieve the pencil. While this was very painful, I remember thinking that at least as long as the pencil was in me, <sup>Perp.</sup> would have stop.

9. At age 15, I had to have reconstructive surgery performed on my vaginal canal because there was too much scar tissue, and I couldn't use a tampon without excessive pain.

10. Later, I also had to have part of my cervix removed because of the excessive scar tissue. Due to having this part of my cervix removed, all my children have been premature births.

11. While I never witnessed <sup>Perp.</sup> sexually abuse <sup>John Doe 2</sup>, I saw enough signs that make me believe that it happened. Even as a toddler, <sup>John Doe 2</sup> would freak out, and become hysterical at the thought of being left alone with <sup>Perp.</sup> or having to shower with <sup>Perp.</sup> <sup>Jane Doe 3</sup> and I ended up holding that child for just about the first three years of his life to keep him away from <sup>Perp.</sup> While I didn't witness sexual abuse, I did witness <sup>Perp.</sup> getting mad and literally throwing <sup>John Doe 2</sup> across the room. As <sup>John Doe 2</sup> grew and developed, he had a speech impediment and learning disabilities.

*Signature on following page*

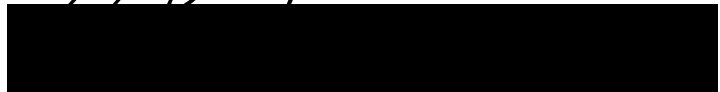


Signed on the \_\_\_\_\_ day of August, 2018, at \_\_\_\_\_ (city or county),  
\_\_\_\_\_ (state).

Jane Doe 4

A solid black rectangular box used to redact the signature of Jane Doe 4.

Signature

A solid black rectangular box used to redact the signature of Jane Doe 4.

# Exhibit “9”

**DECLARATION OF Mother 2**

I, **Mother 2** declare under criminal penalty under the law of Utah that the foregoing is true and correct:

1. I am over the age of eighteen and competent to testify to the statements herein.
2. I married **Perpetrator** in June, 1988.
3. At the time I married **Perpetrator**, I had two daughters from a previous marriage, <sup>Jane Doe 3</sup> age 7, and <sup>Jane Doe 4</sup> age 5. **Perp.** and I then had two biological sons, **J** and **John Doe 2**.
4. Shortly before my marriage to **Perpetrator**, I received a call from **Mother 1**, **Perp.**'s former spouse, with whom he had four biological children. **Mother 1** called to warn me that **Perp.** was a pedophile; that **Perp.** and other adult members of his ward (including **D1D** and **D2D**) had molested **Mother 1**'s four children and other children in their ward. I was angry and didn't believe **Mother 1**. **Perp.** was an active member of the LDS Church, a member in good standing. I told her that if **Perp.** was a pedophile, he would have been excommunicated from the Church.
5. If the Church would have excommunicated **Perp.**, I would have been warned that what **Mother 1** was telling me was true, and I never would have married him.
6. Shortly after I questioned **Perp.** about these horrific allegations against him. He denied it ever happened. He explained that Heavenly Father knew it never happened because he was promised by an Apostle, either "the Apostle" or Elder Maxwell (I can't remember which because both were involved as explained in the paragraphs below), that the "heavens were closed" as it related to allegations of sexual abuse of his children. He told me the Church dismissed the accusations as false and that was evidenced by the fact that no Church court was ever held and he

was currently the executive secretary in his current ward. Without a Church court being held, Perp. had not been excommunicated.

7. From about 1984 to 1990, I worked in the Church Membership Department at the Church Office Building and was very familiar with the handbooks and policies and procedures of the Church. The only conclusion I could draw when I learned about Perp.'s alleged involvement in this child sex ring was that the allegations were all lies because he was not excommunicated nor was he criminally prosecuted. I knew how the Church procedures worked with regard to allegations of this sort; hold a Church court and excommunicate the perpetrator if the accusations are determined to be credible.

8. In about 1989 I learned that Mother 1 had obtained a sealing cancellation from Perp. I was working in the membership department at the time and knew that the policy in situations like this was for the Church to contact the other party, in this case Perp., and his Bishop to obtain their position on the matter and to determine if there was "cause" for a temple sealing cancellation. Here, neither Perp. nor our Bishop were contacted prior to the cancellation. This requirement to contact the other party is only waived if that person was excommunicated.

9. Because I worked in the membership department at the time, I knew many of the secretaries to the Apostles. I began raising questions about Perp.'s temple divorce. I couldn't understand why Church policy was being ignored. I thought back to the allegations against Perp. and began raising questions as to whether he could possibly be guilty. Whenever I would speak to someone at work about this, I was assured that the allegations must be false or he would have been excommunicated for this. I was never able to receive any straight answer on why the policy wasn't being followed relating to the sealing cancellation. I continued to ask questions of my local leaders and of my colleagues in the Church Office Building. I continued to seek answers and was

promised on many occasions that the matter would be looked into.

10. A few months later, still in 1989, during relief society, my Bishop called me out of class and said that he had received a call from Elder Maxwell. My Bishop told me that Elder Maxwell told him that a sister in his ward (me) "was making a lot of noise" and that I was putting him, Elder Maxwell, between a rock and a hard place and that the bishop needed to stop me. Being a fairly new bishop, he told me he didn't even realize that apostles would contact a bishop directly and that this was serious.

11. I didn't stop. I called Elder Pennock's office asking seeking answers. His secretary told me that she had never seen a sealing cancelation handled in this manner. I was confused and very concerned as to why Church policy was not being followed.

12. I knew the secretaries to the First Presidency, LH and MW I spoke to them about this. They said that the Church would follow its policy and not allow a sealing cancelation without seeking input and comment from the other party unless that other party was excommunicated. They also confirmed that someone who raped and harmed children would be excommunicated. They couldn't explain why the policy was violated in <sup>Perp.</sup>s case. I persisted in asking questions. I never received any answers.

13. In the latter part of 1990 (possibly early 1991) I received a letter from the Office of the First Presidency, with stamped signatures from all members of the First Presidency, sent to me by Secretary MW This letter stated that if I persisted in raising these questions that I was putting my membership at risk.

14. I was disappointed, frustrated and disheartened but as a devout member of the Church, I understood the intent of this letter and the consequences to me if I disobeyed. I reluctantly obeyed.



15. Years later, in 1995, I learned that <sup>Perp</sup> had sexually harmed my daughters and sons. I immediately separated from him. I reported the crimes to the police. Before <sup>Perp</sup> could be prosecuted for these crimes against my children, he committed suicide.

16. I have been devastated by the abuse that has been perpetrated by <sup>Perpetrator</sup> upon my children. The impacts to me and each of my children have been severe and often debilitating. It has altered all of our lives significantly.

17. As a devout member of the Church of Jesus Christ of Latter-Day Saints and an employee in the membership department, I had an unwavering belief at the time I married <sup>Perpetrator</sup> that the accusations against him were false based on the fact that there was never a church court held and he was never excommunicated. I continued to question and seek answers about these allegations in the context of the Church not following policy and procedure relating to his temple divorce. Despite persistent efforts on my part for answers, I was hushed and my membership in the Church even threatened if I continued to ask questions.

18. As a devoted member of the Church, had <sup>Perpetrator</sup> been excommunicated, I NEVER would have married him, nor even dated him, and my children would never have been sexually assaulted and raped by him.

Signed on the 30 day of September, 2018, at Salt Lake County  
(city or county), Utah.

Mother 2

A black rectangular box redacting the signature of Mother 2.

Signature